

REMARKS/ARGUMENTS:

Entry of the above amendments, and reconsideration and further examination of this application as amended is respectfully requested. Please cancel claims 13 and 33 without prejudice or disclaimer of the subject matter contained therein. Claims 1, 3, 6, 8, 12, 14, 16, 19, 20, 21, 23, 25, 28, 32, 36, 39, and 40 remain in the application.

The amendments submitted above to certain claims have been done so either in response to the Examiner's rejections or objections or to correct claim dependency, to correct antecedent basis, to put the claim in conventional form, to correct punctuation, improper word usage, and the like. Specifically, claim 14 was amended to correct claim dependency due to a cancelled claim. No new matter has been introduced through any of these amendments.

A. **Rejection of Claims**
Under 35 U.S.C. § 103(a)

1. The Examiner has rejected claims 1, 3, 6, 8, 19, 20, 21, 23, 25, 28, 39, and 40 under 35 U.S.C. §103(a) as being unpatentable over Marchoili et al., U.S. Patent No. 6,233,588 in view of Pantages et al., U.S. Patent No. 6,631,406, and further in view of Mears et al., U.S. Patent No. 6,041,362.

In response, Applicant has amended independent claims 1 and 21 to more distinctly distinguish Applicant's invention through the further limitations of (shown in underline):

Claim 1. A method for integrating building services comprising the acts of:

(a) connecting at least one server to a first external communications interface via a first interconnection channel to form a first integrated building services system;

(b) connecting a plurality of integrated building services to said first interconnection channel, wherein said first integrated building services system and said plurality of integrated building services form a first building element, and further wherein said plurality of integrated building services are two or more of at least one service device, at least one client device, at least one client application, and at least one MIS application;

(c) developing an adapter element for each of said at least one service device, each of said at least one client device, and each of said at least one MIS application, wherein each said adapter element is an interface between said first integrated building services system and each of said at least one service device, each of said at least one client device, and each of said at least one MIS application;

(d) loading each of said adapter elements onto said at least one server, wherein said first interconnection channel and each of said adapter elements encapsulate said plurality of integrated building services with a standard interconnection behaviors, allowing an underlying

implementation of any of said plurality of integrated building services to be changed without affecting the behavior of said first integrated building services system;

(e) for said at least one client application,

(e1) developing said first client application to be compatible with said first integrated building services system; and

(e2) connecting said first client application to said first interconnection channel;

(f) connecting said first external communications interface to a public internet via a first communications channel; and

(g) accessing a web site associated with said first integrated building services system by a user to gain access by said user to utilize any of said plurality of integrated building services of said first building element.

Claim 21. An apparatus for integrated building services, said apparatus comprising:

a first building element, said first building element comprising;

a first integrated building services system, said first integrated building services system comprising;

at least one server;

a first external communications interface; and

a first interconnection channel connecting said at least one server to said first external communications interface;

a plurality of integrated building services connected to said first integrated building services system, wherein said plurality of integrated building services are two or more of at least one service device, at least one client device, at least one MIS application, and at least one client application, wherein said at least one client application is developed to be compatible with said first integrated building services system and is connected to said first interconnection channel;

an adapter element for each of said at least one service device, each of said at least one client device, and each of said at least one MIS application, wherein each said adapter element is loaded onto said at least one server, and each said adapter element is an interface between said first integrated building services system and each of said at least one service device, each of said at least one client device, and each of said at least one MIS application, and further wherein said first interconnection channel and each of said adapter elements encapsulate said plurality of integrated building services with a standard interconnection behaviors, allowing an underlying implementation of any of said plurality of integrated building services to be changed without affecting the behavior of said first integrated building services system;

a first communications channel connecting said first external communications interface to a public internet; and

a web site associated with said first integrated building services system which is accessed by a user in order to utilize any of said plurality of integrated building services of said first building element.

Support for these added limitations may be found in the specification on page 9, lines 19-21, page 10, lines 19-20, and page 11, lines 5-11. Applicant submits that Marchoili et al., Pantages et al., nor Mears et al. teaches or suggests these added limitations.

The above amended claims 1 and 21 are not obvious in light of the multiple prior art references previously cited, and there is no suggestion in the art to make the totality of combinations which comprise the invention as now claimed. In addition, the prior art reference Fontana et al., US Patent No. 6,167,564, is not germane to the new limitations added to claims 1 and 21 as previously found in cancelled claims 13 and 33. Applicant develops client applications from the outset to be compatible with the target system, in this case, the integrated building services system. Fontana et al., on the other hand, deals with integrating software development tools into a computer system in order to build, deploy, and maintain enterprise business process applications in a heterogeneous development framework (please see the Abstract and Summary of the Invention, col. 2, lines 61-65). Applicant does not need nor use the teaching of Fontana et al. for client applications because the target environment is already known, thus negating the need for an adapter element as is required for service devices, client devices, and MIS applications, which are existing applications/devices that need to be integrated into the environment of the integrated building services system.

In addition, the interconnection channel and each of the adapter elements encapsulates each of the integrated building services with standard interconnection behaviors. The underlying implementation of any of the integrated building services can be changed without affecting the behavior of the integrated building services system. Therefore, combining Marchoili et al., Pantages et al., nor Mears et al. with the teaching of Fontana et al. cannot arrive at Applicant's claimed invention as embodied in amended claims 1 and 21. Applicant thus believes that claims 1 and 21 are patentable over the prior art cited by the Examiner, and withdrawal of the rejection under 35 U.S.C. §103(a) in respect to these claims is respectfully requested.

Claims 3, 6, 8, 12, 14, 16, 19, 20, 23, 25, 28, 32, 36, 39, and 40 depend directly or indirectly from independent claims 1 or 21 and include all the elements and limitations thereof. As a result, and in light of the foregoing remarks concerning independent claims 1 and 21, Applicant likewise believes that claims 3, 6, 8, 12, 14, 16, 19, 20, 23, 25, 28, 32, 36, 39, and 40 also overcome the Examiner's rejection under 35 U.S.C. §103(a), and withdrawal of that rejection in respect to these claims is respectfully requested.

2. The Examiner has rejected claims 12 and 32 under 35 U.S.C. §103(a) as being unpatentable over Marchoili et al., U.S. Patent No. 6,233,588 in view of Pantages et al., U.S.

Patent No. 6,631,406, in view of Mears et al., U.S. Patent No. 6,041,362, and further in view of McCarthy et al., U.S. Patent No. 6,498,955.

As discussed above, Applicant has amended independent claims 1 and 21 and believes the claims are now patentable over the prior art of record. Claims 12 and 32 depend directly or indirectly upon claim 1 and 21 respectively, and include all the elements and limitations thereof. As a result, and in light of the foregoing remarks concerning independent claims 1 and 21, Applicant likewise believes that claims 12 and 32 also overcome the Examiner's rejection based on Marchoili et al., Pantages et al., Mears et al., and McCarthy et al. under 35 U.S.C. §103(a), and withdrawal of that rejection in respect to these claims is respectfully requested.

3. The Examiner has rejected claims 13, 14, and 33 under 35 U.S.C. §103(a) as being unpatentable over Marchoili et al., U.S. Patent No. 6,233,588 in view of Pantages et al., U.S. Patent No. 6,631,406, in view of Mears et al., U.S. Patent No. 6,041,362, in view of McCarthy et al., U.S. Patent No. 6,498,955, and further in view of Fontana et al., U.S. Patent No. 6,167,564.

In response, Applicant has canceled claim 13. As discussed above, Applicant has amended independent claims 1 and 21 and believes the claims are now patentable over the prior art of record, including Fontana et al. Claims 14 and 33 depend directly or indirectly upon claim 1 and 21 respectively, and include all the elements and limitations thereof. As a result, and in light of the foregoing remarks concerning independent claims 1 and 21, Applicant likewise believes that claims 14 and 33 also overcome the Examiner's rejection based on Marchoili et al., Pantages et al., Mears et al., McCarthy et al., and Fontana et al. under 35 U.S.C. §103(a), and withdrawal of that rejection in respect to these claims is respectfully requested.

4. The Examiner has rejected claims 16 and 36 under 35 U.S.C. §103(a) as being unpatentable over Marchoili et al., U.S. Patent No. 6,233,588 in view of Pantages et al., U.S. Patent No. 6,631,406, in view of Mears et al., U.S. Patent No. 6,041,362, and further in view of Gupta, U.S. Patent No. 6,446,109.

As discussed above, Applicant has amended independent claims 1 and 21 and believes the claims are now patentable over the prior art of record. Claims 16 and 36 depend directly or indirectly upon claim 1 and 21 respectively, and include all the elements and limitations thereof. As a result, and in light of the foregoing remarks concerning independent claims 1 and 21, Applicant likewise believes that claims 16 and 36 also overcome the Examiner's rejection based

on Marchoili et al., Pantages et al., Mears et al., and Gupta under 35 U.S.C. §103(a), and withdrawal of that rejection in respect to these claims is respectfully requested.

CONCLUSION:


A bona-fide attempt has been made to place this application in condition for allowance. Each of the Examiner's bases for objection and rejection have been addressed and the claims have been amended, canceled, or arguments presented to overcome such rejections. The application is now believed to meet all statutory requirements and is thus believed to be in condition for allowance. The Examiner's early indication to that effect is, therefore, courteously solicited.

If a telephone conference would expedite allowance or resolve any additional questions, such a call is invited at the Examiner's convenience.

Applicant has enclosed a check for fees due with this response. If any additional fees are due with this response, please charge any additional fees due, or credit any overpayment to, deposit account 50-0792.

Respectfully submitted,

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